

**209 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-36150-2023

Date of Decision:04.08.2023

DAVINDER SINGH

... Petitioner

VS.

STATE OF PUNJAB

.. Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present : Mr. Amandeep Singh Manaise, Advocate
for the petitioner.

Mr. Ferry Sofat, Additional Advocate General, Punjab.

VIKAS BAHL, J.(ORAL)

1. Present petition has been filed under Section 439 Cr.P.C. for the grant regular bail to the petitioner in FIR No.37 dated 11.04.2022 under Sections 302, 34 IPC and 25 & 27 of Arms Act (offence reduced to Section 304 IPC) registered at Police Station Sekhwan, Police District Batala, District Gurdaspur.

2. A perusal of the petition would show that it has been stated that the same is the first petition under Section 439 Cr.P.C. and in paragraph 16 of the petition, it has been stated that the petitioner has not filed any other such or similar petition either before this Court or before the Hon'ble Supreme Court of India.

3. The Registry has put up a note that prior to the present petition, an earlier petition was filed by the petitioner i.e. CRM-M-41227-2022, which was

dismissed as withdrawn at that stage vide order dated 14.09.2022. The said fact has not been mentioned in the present petition.

4. Learned counsel for the petitioner has submitted that he was not aware that the petitioner had earlier filed a regular bail application and on account of the same, he could not mention about the withdrawal of the earlier bail application, thus, he seeks to withdraw the present writ petition with liberty to file a fresh petition after giving the particulars of the earlier bail application and also annexing the said order.

5. It is made clear that in case any such petition is filed by the petitioner, then, the same would be considered independently, in accordance with law.

(VIKAS BAHL)
JUDGE

August 04, 2023
naresh.k

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No